

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKAJUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

05 SEP 30 AM 10:19

SEP - 8 2005

DOCKET NO. 1657

FILED  
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX PRODUCTS LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-23)**


On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,491 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

SEP 26 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-23 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>ALABAMA MIDDLE</b>	
<del>ALM 2 05-702</del>	<del>Glendora Turner, etc. v. Merck &amp; Co., Inc., et al.</del> Vacated 9/23/05
<b>ALABAMA NORTHERN</b>	
ALN 2 05-1633	Steve Widmar, Jr., et al. v. Merck & Co., Inc.
ALN 4 05-1616	Helen McMichen, et al. v. Merck & Co., Inc.
<b>ALABAMA SOUTHERN</b>	
ALS 1 05-470	Margaret Hadley, et al. v. Merck & Co., Inc., et al.
<b>ARKANSAS EASTERN</b>	
ARE 2 05-185	Stoney Walton v. Merck & Co., Inc.
<b>CALIFORNIA CENTRAL</b>	
CAC 2 05-5446	Ronnie Penfold v. Merck & Co., Inc.
<b>CALIFORNIA NORTHERN</b>	
CAN 3 05-3130	Ismael Lopez, et al. v. Merck & Co., Inc.
CAN 3 05-3131	Giovanni Cortese v. Merck & Co., Inc.
CAN 3 05-3188	Dennis Parks, et al. v. Merck & Co., Inc.
CAN 3 05-3205	Sandra J. Springs v. Merck & Co., Inc., et al.
<b>COLORADO</b>	
CO 1 05-1436	Gail Janet Lagomarsino-Burmmett v. Merck & Co., Inc.
<b>CONNECTICUT</b>	
CT 3 05-1198	Don Hanrahan v. Merck & Co., Inc.
<b>FLORIDA SOUTHERN</b>	
FLS 1 05-22179	James E. Sprinkle, et al. v. Merck & Co., Inc.
<b>IOWA NORTHERN</b>	
IAN 1 05-132	Sherrill Herke v. Merck & Co., Inc.
<b>IDAHO</b>	
ID 1 05-312	Charles Piquet v. Merck & Co., Inc.
<b>ILLINOIS NORTHERN</b>	
ILN 1 05-4556	Patricia Bennett v. Merck & Co., Inc.
<b>ILLINOIS SOUTHERN</b>	
<del>ILS 3 05-526</del>	<del>Gary Auslander v. Merck &amp; Co., Inc., et al.</del> Vacated 9/26/05
<del>ILS 3 05-527</del>	<del>Myrtle Bohannon v. Merck &amp; Co., Inc., et al.</del> Opposed 9/22/05
ILS 3 05-528	Laurence Madden v. Merck & Co., Inc.
<del>ILS 3 05-529</del>	<del>John G. Smith, Jr. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/26/05
ILS 3 05-548	Bridgette Bradley v. Merck & Co., Inc.
ILS 3 05-549	Mary A. Koch v. Merck & Co., Inc.
<del>ILS 3 05-550</del>	<del>Larry King v. Merck &amp; Co., Inc., et al.</del> Opposed 9/26/05
ILS 3 05-557	Arhonda Hoffman v. Merck & Co., Inc.
ILS 3 05-558	David Green v. Merck & Co., Inc.
ILS 3 05-559	Kelvin Handy v. Merck & Co., Inc.

## SCHEDULE CTO-23 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ILS 3 05-560	Mae Bess Hale v. Merck & Co., Inc.
ILS 3 05-561	David Spiegelberg v. Merck & Co., Inc.
<del>ILS 3 05-562</del>	<del>Clara Kirkendall v. Merck &amp; Co., Inc., et al. Opposed 9/16/05</del>
<del>ILS 3 05-563</del>	<del>Mary Hardin v. Merck &amp; Co., Inc., et al. Opposed 9/16/05</del>
ILS 3 05-564	Steven Mitchell v. Merck & Co., Inc.
ILS 3 05-565	Paul Lucas v. Merck & Co., Inc.
ILS 3 05-566	Margaret Hughes v. Merck & Co., Inc., et al.
ILS 3 05-567	Bettye Harris v. Merck & Co., Inc.
ILS 3 05-568	Betty Belue v. Merck & Co., Inc.
ILS 3 05-569	Mary Price v. Merck & Co., Inc.
<b>INDIANA NORTHERN</b>	
INN 3 05-448	Roger Weissmann, et al. v. Merck & Co., Inc.
INN 3 05-449	Phyllis Ranschaert v. Merck & Co., Inc.
INN 3 05-450	Bernie Harlan v. Merck & Co., Inc.
INN 3 05-451	Thomas J. Lustik, et al. v. Merck & Co., Inc.
<b>KANSAS</b>	
KS 2 05-2334	Nona Conyers v. Merck & Co., Inc.
KS 2 05-2335	Elaine Coppenbarger v. Merck & Co., Inc., et al.
KS 5 05-4090	Alan Hewitt v. Merck & Co., Inc.
<b>KENTUCKY WESTERN</b>	
KYW 1 05-112	Walter Glenn v. Merck & Co., Inc., et al.
<b>LOUISIANA MIDDLE</b>	
LAM 3 05-1003	Brenda Deiter v. Merck & Co., Inc.
LAM 3 05-1009	Thomas Gridley v. Merck & Co., Inc.
<b>LOUISIANA WESTERN</b>	
LAW 3 05-1444	Mary Katherine Brady, et al. v. Merck & Co., Inc.
LAW 5 05-1409	Connie Hankins, et al. v. Merck & Co., Inc.
<b>MARYLAND</b>	
MD 1 05-2074	Lisa Gray v. Merck & Co., Inc.
MD 1 05-2245	William Edris Evans v. Merck & Co., Inc.
<b>MINNESOTA</b>	
MN 0 05-1630	Jimmy Gould v. Merck & Co., Inc.
MN 0 05-1641	T.J. Power, etc. v. Merck & Co., Inc.
MN 0 05-1642	Salvatore Randazzo v. Merck & Co., Inc.
MN 0 05-1643	Ralph C. Pomeroy v. Merck & Co., Inc.
MN 0 05-1644	Gerald W. Norback v. Merck & Co., Inc.
MN 0 05-1646	David W. Burnham v. Merck & Co., Inc.
MN 0 05-1647	Russell R. Keefer v. Merck & Co., Inc.
MN 0 05-1648	Brian F. Vaughn v. Merck & Co., Inc.
MN 0 05-1649	Alice H. Bolton v. Merck & Co., Inc.
MN 0 05-1650	Helen M. Atemborski v. Merck & Co., Inc.
MN 0 05-1651	Patricia J. Rivera v. Merck & Co., Inc.
<b>MISSOURI EASTERN</b>	
MOE 4 05-1165	Antonia Albert v. Merck & Co., Inc.
MOE 4 05-1166	Francis Best v. Merck & Co., Inc.
MOE 4 05-1167	Richard D. Kueber v. Merck & Co., Inc.
MOE 4 05-1168	Loretta Bates v. Merck & Co., Inc.
MOE 4 05-1169	Nathan Yopp, Sr. v. Merck & Co., Inc.
MOE 4 05-1170	Edward Evans v. Merck & Co., Inc.

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MOE 4 05-1197	Carol Souders v. Merck & Co., Inc.
MOE 4 05-1200	Kenneth Hohlt, Jr. v. Merck & Co., Inc.
MOE 4 05-1267	Delores Beaver v. Merck & Co., Inc.
 MISSOURI WESTERN	
MOW 4 05-696	William D. Glenn, et al. v. Merck & Co., Inc.
 MISSISSIPPI NORTHERN	
MSN 1 05-190	Shirley Foster v. Merck & Co., Inc., et al.
MSN 2 05-154	Lorene Sparks v. Merck & Co., Inc., et al.
MSN 2 05-155	Larry Aaron v. Merck & Co., Inc., et al.
MSN 2 05-156	Lee Dawkins v. Merck & Co., Inc., et al.
MSN 2 05-157	Doretha Banks v. Merck & Co., Inc., et al.
 MONTANA	
MT 9 05-128	Kevin Allen v. Merck & Co., Inc.
 NORTH CAROLINA EASTERN	
NCE 5 05-520	Richard Gaddie v. Merck & Co., Inc.
 NORTH DAKOTA	
ND 3 05-78	Lorn Campbell v. Merck & Co., Inc.
 NEBRASKA	
NE 4 05-3189	Jon Brunkhorst v. Merck & Co., Inc.
NE 8 05-366	Joann P. Howe, etc. v. Merck & Co., Inc.
 NEW JERSEY	
NJ 3 05-3728	Wanda Cole, et al. v. Merck & Co., Inc.
NJ 3 05-3778	Theresa Ducham, et al. v. Merck & Co., Inc.
NJ 3 05-3779	Anthony Krowicki v. Merck & Co., Inc.
NJ 3 05-3796	Christie Anderson v. Merck & Co., Inc.
 NEVADA	
<del>NV 2 05-627</del>	<del>Daniel Morrison, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/23/05
 NEW YORK NORTHERN	
NYN 1 05-981	Doreen J. Maxwell v. Merck & Co., Inc.
 NEW YORK SOUTHERN	
NYS 1 05-6932	Norma Tio v. Merck & Co., Inc.
NYS 1 05-6958	June Tauber Golden, et al. v. Loren Martin Fishman, M.D., et al.,
NYS 1 05-7084	Ashraf Ahmed, et al. v. Merck & Co., Inc.
NYS 1 05-7085	Carlota Bajana, et al. v. Merck & Co., Inc.
 OHIO NORTHERN	
OHN 1 05-1875	Jason Ross v. Merck & Co., Inc.
OHN 1 05-1958	Patricia Workman, et al. v. Merck & Co., Inc.
 OKLAHOMA WESTERN	
OKW 5 05-871	Mary A. Bruch, et al. v. Merck & Co., Inc.
 OREGON	
OR 3 05-1228	Cheryl Edwards v. Merck & Co., Inc.
 PENNSYLVANIA EASTERN	
PAE 2 05-4090	William Hnatuk, et al. v. Merck & Co., Inc., et al.

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
PAE 2 05-4103	Klaus Hofmann, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4237	Mark Justus, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4238	Sherrie Hedden, etc. v. Merck & Co., Inc., et al.
PAE 2 05-4239	Amelia A. Wilson, et al. v. Merck & Co., Inc., et al.
 PENNSYLVANIA WESTERN	
PAW 2 05-1073	Renee M. Bernabe v. Merck & Co., Inc.
 RHODE ISLAND	
RI 1 05-331	Stephen Moreau v. Merck & Co., Inc.
 SOUTH DAKOTA	
SD 1 05-1026	Ruth Grotjohn v. Merck & Co., Inc.
SD 1 05-1027	Gerald Sanborn v. Merck & Co., Inc.
SD 1 05-1028	Charles Mardian v. Merck & Co., Inc.
SD 1 05-1029	Jerry Hansen v. Merck & Co., Inc.
SD 1 05-1030	Richard Wolf v. Merck & Co., Inc.
SD 1 05-1031	Gary Ofstad v. Merck & Co., Inc.
SD 1 05-1032	John Shaver v. Merck & Co., Inc.
SD 1 05-1033	Steve Klima v. Merck & Co., Inc.
SD 1 05-1034	Alvin Dexter v. Merck & Co., Inc.
 TENNESSEE EASTERN	
TNE 3 05-381	Steven R. Chapman, et al. v. Merck & Co., Inc.
 TENNESSEE MIDDLE	
TNM 2 05-71	Joyce Duke, et al. v. Merck & Co., Inc.
 TENNESSEE WESTERN	
TNW 1 05-1203	Phillip Vernon v. Merck & Co., Inc.
 TEXAS EASTERN	
TXE 2 05-351	Brenda DeLoach, et al. v. Merck & Co., Inc.
TXE 2 05-353	Richard L. Dutton v. Merck & Co., Inc.
 TEXAS NORTHERN	
TXN 2 05-212	Audelia Serna, etc. v. Merck & Co., Inc.
TXN 3 05-1504	Linda Powell v. Merck & Co., Inc.
 TEXAS SOUTHERN	
TXS 2 05-375	Velma Byrd, etc. v. Merck & Co., Inc.
TXS 5 05-164	Rosa Reyes, et al. v. Merck & Co., Inc., et al.
 UTAH	
UT 1 05-100	Marilyn Nestman v. Merck & Co., Inc.
UT 2 05-636	Clifton E. Allenbach, et al. v. Merck & Co., Inc.
 WASHINGTON WESTERN	
WAW 2 05-1323	Ronald Forrest v. Merck & Co., Inc.
 WEST VIRGINIA SOUTHERN	
WVS 2 05-596	Terry Kelly v. Merck & Co., Inc.
 WYOMING	
WY 2 05-215	James R. Pope v. Merck & Co., Inc.

**INVOLVED COUNSEL LIST (CTO-23)**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

Douglas B. Abrams  
 Abrams & Abrams, P.A.  
 414 W. Jones Street  
 Raleigh, NC 27603

A. Shawn Alford  
 District Attorney Office 3rd., J D C  
 100 E. Bayou  
 Farmerville, LA 71241

Jeffrey R. Atkins  
 Atkins & Markoff  
 9211 Lake Hefner Parkway  
 Suite 104  
 Oklahoma City, OK 73120

Lee B. Balefsky  
 Kline & Specter  
 1525 Locust Street, 19th Floor  
 Philadelphia, PA 19102

Dan H. Ball  
 Bryan Cave, L.L.P.  
 One Metropolitan Square  
 211 N. Broadway, Suite 3600  
 St. Louis, MO 63102-2750

Kathryn E. Barnett  
 Lieff, Cabraser, Heimann  
 & Bernstein, LLP  
 One Nashville Place  
 150 4th Avenue North, Suite 1650  
 Nashville, TN 37219

Denise Barton  
 Morris, Pickering & Peterson  
 900 Bank of America Plaza  
 Las Vegas, NV 89101

Esther Eva Berezofsky  
 Williams Cuker & Berezofsky  
 Woodland Falls Corporate Center  
 210 Lake Drive East, Suite 101  
 Cherry Hill, NJ 08002-1163

Carmelite M. Bertaut  
 Stone, Pigman, Walther & Wittmann,  
 LLC  
 546 Carondelet Street  
 New Orleans, LA 70130-3588

Andy D. Birchfield, Jr.  
 Beasley, Allen, Crow, Methvin, Portis  
 & Miles, PC  
 P.O. Box 4160  
 234 Commerce Street  
 Montgomery, AL 36103-4160

John L. Black, Jr.  
 10 W. 300 South, Suite 500  
 Salt Lake City, UT 84101

Dana A. Blanton  
 Reed Smith LLP  
 Two Embarcadero Center, Suite 2000  
 San Francisco, CA 94111

Alexandra V. Boone  
 Morgan & Weisbrod, LLP  
 11551 Forest Central Drive, Suite 300  
 P.O. Box 821329  
 Dallas, TX 75382-1329

Steven J. Boranian  
 Reed Smith, LLP  
 Two Embarcadero Center, Suite 2000  
 P.O. Box 7936  
 San Francisco, CA 94111

Jeffrey A. Bowersox  
 Savage, Bowersox, Supperstein, LLP  
 620 S.W. Fifth Avenue, Suite 1125  
 Portland, OR 97204

Mark I. Bronson  
 Newman & Bronson  
 2300 West Port Plaza Drive  
 St. Louis, MO 63146-3213

Michael K. Brown  
 Reed Smith, LLP  
 355 South Grand Avenue, Suite 2900  
 Los Angeles, CA 90071-1514

Alyson L. Bustamante  
 Butler, Snow, O'Mara, Stevens  
 & Cannada, PLLC  
 P.O. Box 22567  
 Jackson, MS 39225-2567

Evan D. Buxner  
 Walther Glenn Law Associates  
 10 S. Brentwood Blvd., Suite 102  
 St. Louis, MO 63105

John P. Byrd  
 Byrd Law Firm  
 323 Center Street, Suite 1300  
 Little Rock, AR 72201

Elizabeth J. Cabraser  
 Lieff, Cabraser, Heimann & Bernstein,  
 LLP  
 Embarcadero Center West  
 275 Battery Street, 30th Floor  
 San Francisco, CA 94111-3339

Christopher T. Cain  
 Ball & Scott  
 Bank of America  
 550 Main Avenue, Suite 750  
 Knoxville, TN 37902-2567

Andrew J. Carboy  
 Sullivan, Papain, Block, McGrath  
 & Cannavo  
 120 Broadway, 18th Floor  
 New York, NY 10271

John J. Carey  
 Carey & Danis, LLC  
 8235 Forsyth Boulevard, Suite 1100  
 St. Louis, MO 63105

Gary Yunchian Chen  
 Reed Smith, LLP  
 355 South Grand Avenue, Suite 2900  
 Los Angeles, CA 90071

Charles W. Cohen  
 Hughes, Hubbard & Reed, LLP  
 One Battery Park Plaza  
 New York, NY 10004-1482

S. Tessie Corbin  
 Dechert LLP  
 1717 Arch Street  
 4000 Bell Atlantic Tower  
 Philadelphia, PA 19103-2793

D. Frank Davis  
 Davis & Norris, LLP  
 One Highland Place, Suite 100  
 2151 Highland Avenue  
 Birmingham, AL 35205

Stephanie H. Demont  
 Spain & Spain, P.C.  
 671 Route Six  
 Mahopac, NY 10541

Anthony M. DiLeo  
Stone, Pigman, Walther & Wittmann,  
LLC  
546 Carondelet Street  
New Orleans, LA 70130

David A. Dick  
Thompson Coburn, LLP  
One US Bank Plaza, Suite 2600  
St Louis, MO 63101

Aaron Dickey  
Goldenberg, Miller, Heller & Antognoli  
2227 South State Route 157  
P.O. Box 959  
Edwardsville, IL 62025

William Dinkes  
Dinkes & Schwitzer  
112 Madison Avenue, 10th Floor  
New York, NY 10016

Eric D. Dixon  
Law Office of Eric D. Dixon  
3090 South Avenue A  
Portales, NM 88130

John J. Driscoll  
Brown & Crouppen, PC  
720 Olive Street, Suite 1800  
St. Louis, MO 63101-2302

Thomas E. Dutton  
Pittman, Hooks, Dutton, Kirby  
& Hellums, PC  
Park Place Tower  
2001 Park Place North, Suite 1100  
Birmingham, AL 35203

Douglas B.M. Ehlke  
Ehlke Law Offices  
28840 11th Avenue South  
Federal Way, WA 98003

Henry D. Fincher  
305 East Spring Street  
Cookeville, TN 38501-3311

James E. Fitzgerald  
Fitzgerald Law Firm  
2108 Warren Avenue  
Cheyenne, WY 82001

Douglas Curwood Fladseth  
Law Office of Douglas C. Fladseth  
50 Old Courthouse Square, Suite 600  
Santa Rosa, CA 95404

Franklin J. Foil  
Henchy, Verbois & Foil  
P.O. Box 80523  
7904 Wrenwood Blvd., Suite C  
Baton Rouge, LA 70898-2523

Daniel H. Friedman  
Friedman Law Offices  
P.O. Box 82009  
Lincoln, NE 68501

Richard B. Garrett  
P.O. Box 270  
Montgomery, AL 36101

Robert Edward Godosky  
Godosky & Gentile  
61 Broad Street, 20th Floor  
New York, NY 10006

Ronald S. Goldser  
Zimmerman Reed  
651 Nicollet Mall, Suite 501  
Minneapolis, MN 55402-4123

Gayle L. Gough  
Sedgwick Detert Moran & Arnold  
One Embarcadero Center, 16th Floor  
San Francisco, CA 94111-3628

Lawrence B. Grebel  
Brown & James, P.C.  
1010 Market Street, 20th Floor  
St. Louis, MO 63101

Charles E. Griffin  
Griffin & Associates  
P.O. Box 968  
Jackson, MS 39205-0968

Henry Phillip Gruss  
Pavalon, Gifford, Laatsch & Marino  
Two North LaSalle Street, Suite 1600  
Chicago, IL 60602

Vilia B. Hayes  
Hughes, Hubbard & Reed, LLP  
One Battery Park Plaza  
New York, NY 10004

Russ M. Herman  
Herman, Herman, Katz & Cotlar,  
L.L.P.  
820 O'Keefe Avenue  
New Orleans, LA 70113

Barry M. Hill  
Hill, Toriseva & Williams  
89-12th Street  
Wheeling, WV 26003

John Davis Hoffman  
Hoffman & Hoffman  
848 Brickwell Avenue, Suite 900  
Miami, FL 33131

Richard M. John  
3646 Youree Drive  
Shreveport, LA 71105

Richard L. Josephson  
Baker Botts LLP  
One Shell Plaza  
910 Louisiana Street, Suite 3000  
Houston, TX 77002-9934

Ted M. Kanner  
Ted Kanner Law Office  
606 Virginia Street, East, Suite 200  
Charleston, WV 25301

Patricia J. Kasputys  
Law Offices of Peter G. Angelos, P.C.  
One Charles Center  
100 North Charles Street, 20th Floor  
Baltimore, MD 21201

John S. Kearns  
Saiontz, Kirk & Miles, P.A.  
3 South Frederick Street, Suite 900  
Baltimore, MD 21202

Jerry Kelly  
Kelly Law Firm  
P.O. Box 500  
Lonoke, AR 72086

Thomas D. Kelsch  
Kelsch Kelsch Ruff & Kranda, PLLP  
Collins & Main  
P.O. Box 1266  
Mandan, ND 58554-7266

R. Eric Kennedy  
Weisman, Kennedy & Berris  
1600 Midland Building  
101 Prospect Avenue, West  
Cleveland, OH 44115

Norman C. Kleinberg  
Hughes Hubbard & Reed, LLP  
One Battery Park Plaza, 12th Floor  
New York, NY 10004-1482

Andrea B. Lamere  
Schaeffer & Lamere, PC  
5512 Godfrey Road, Suite B  
Godfrey, IL 62035

## INVOLVED COUNSEL LIST (CTO-23) MDL-1657

PAGE 3 of 4

Andrew J. Lee  
Schwabe, Williamson & Wyatt  
Pacwest Center  
1211 S.W. 5th Avenue  
Suites 1600 - 1900  
Portland, OR 97204-3795

Robert E. Lee  
2566 Foliage Drive  
Marrero, LA 70072

Arnold Levin  
Levin, Fishbein, Sedran & Berman  
510 Walnut Street, Suite 500  
Philadelphia, PA 19106

Andrew C. Littman  
Stevens, Littman, Biddison, Tharp  
& Weinberg  
250 Arapahoe, #301  
Boulder, CO 80302

Jeffrey J. Lowe  
Jeffrey J. Lowe, PC  
8235 Forsyth Boulevard, Suite 1100  
St. Louis, MO 63105

Gerry Lowry  
Fulbright & Jaworski, L.L.P.  
1301 McKinney Street, Suite 5100  
Houston, TX 77010-3095

Kurt W. Maier  
English, Lucas, Priest & Owsley  
1101 College Street  
P.O. Box 770  
Bowling Green, KY 42101

James Mark Mann  
Welborn, Houston, Adkison, Mann  
& Sadler  
P.O. Box 1109  
Henderson, TX 75653-1109

Ted G. Meadows  
Beasley, Allen, Crow, Methvin, Portis  
& Miles, PC  
234 Commerce Street  
P.O. Box 4160  
Montgomery, AL 36103-4160

Christopher R. Miller  
Humphrey, Farrington & McClain,  
P.C.  
221 West Lexington, Suite 400  
P.O. Box 900  
Independence, MO 64051

Winston E. Miller  
Frost, Brown & Todd, L.L.C.  
400 West Market Street, 32nd Floor  
Louisville, KY 40202

Eugene Edward Murphy, Jr.  
Bryan Cave, LLP  
161 North Clark, Suite 4800  
Chicago, IL 60601-3206

Frrank A. Natale, II  
2616 Wilmington Road, Suite F  
New Castle, PA 16105

Brett E. Nelson  
Plews, Shadley, Racher & Braun  
1346 North Delaware Street  
Indianapolis, IN 46202-2415

Thao Trong Nguyen  
Plews, Shadley, Racher & Braun  
53732 Generations Drive  
South Bend, IN 46635

Timothy J. O'Connor  
Office of Timothy O'Connor  
29 Wards Lane  
Albany, NY 12204

Robert S. Parker  
McIntyre, Tate, Lynch & Holt  
321 South Main Street, Suite 400  
Providence, RI 02903-7108

Robb W. Patryk  
Hughes Hubbard & Reed, LLP  
One Battery Park Plaza  
New York, NY 10004

Michael J. Pearce  
Wise Pearce Yocis & Smith  
249 East Ocean Blvd., Suite 440  
Long Beach, CA 90801

J. Douglas Peters  
Charfoos & Christensen, P.C.  
5510 Woodward Avenue  
Detroit, MI 48202

James C. Peterson  
Hill, Peterson, Carper, Bee & Deitzler  
North Gate Business Park  
500 Tracy Way  
Charleston, WV 25311

Susan J. Pope  
Frost, Brown & Todd, L.L.C.  
250 W. Main Street  
2700 Lexington Financial Center  
Lexington, KY 40507-1749

Eugene B. Ralston  
Ralston, Buck & Associates  
2913 S.W. Maupin Lane  
Topeka, KS 66614

Sunena Sabharwal  
1939 Harrison Street, Suite 290  
Oakland, CA 94612

Kevin M. Sadler  
Baker Botts LLP  
1600 San Jacinto Center  
98 San Jacinto Blvd.  
Austin, TX 78701-4039

Rebecca C. Sechrist  
Bunda, Stutz & DeWitt  
One Seagate, Suite 650  
Toledo, OH 43604

Fredric V. Shoemaker  
Greener, Banducci & Shoemaker, P.A.  
815 W. Idaho Street  
Boise, ID 83702

Richard J. Simons  
Furtado Jaspovice & Simons  
22274 Main Street  
Hayward, CA 94541

Douglas D. Small  
Foley & Small  
1002 East Jefferson Boulevard  
South Bend, IN 46617

Kathryn A. Snapka  
Snapka, Turman & Waterhouse, LLP  
606 North Carancahua, Suite 1511  
P. O. Drawer 23017  
Corpus Christi, TX 78403

Richard C. Stanley  
Stanley, Flanagan & Reuter  
LL&E Tower  
909 Poydras Street, Suite 2500  
New Orleans, LA 70112

Stephen G. Strauss  
Bryan Cave, L.L.P.  
One Metropolitan Square  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102-2750

Daniel A. Thomas  
Humphrey, Farrington & McClain, P.C.  
221 West Lexington, Suite 400  
P.O. Box 900  
Independence, MO 64051

## INVOLVED COUNSEL LIST (CTO-23) MDL-1657

PAGE 4 of 4

Stephen R. Thomas  
Moffatt, Thomas, Barrett, Rock & Fields  
P.O. Box 829  
Boise, ID 83701

Gregory W. Turman  
Snapka, Turman & Waterhouse, LLP  
606 N. Carancahua, Suite 1511  
P. O. Drawer 23017  
Corpus Christi, TX 78403

Carey B. Underwood  
Davenport, Files & Kelly  
P.O. Box 4787  
Monroe, LA 71211

Leon J. Vanderlinden  
Delaney, Vanderlinden & Delaney  
P.O. Box 615  
Webster, SD 57274

George F. Verschelden  
Stinson Morrison Hecker, LLP  
1201 Walnut Street, Suite 2800  
Kansas City, MO 64106-2150

Geroge T. Waddoups  
Debry & Associates  
4252 South 700 East  
Salt Lake City, UT 84107

Steven P. Wandro  
Wandro & Associates, P.C.  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312

Seth S. Webb  
Brown & Crouppen, PC  
720 Olive Street, Suite 1800  
St. Louis, MO 63101

Mark A. Weber  
Valentine, O'Toole, McQuillan & Gordon  
11240 Davenport Street  
P.O. Box 540125  
Omaha, NE 68154-0125

Michael M. Weinkowitz  
Levin, Fishbein, Sedran & Berman  
510 Walnut Street, Suite 500  
Philadelphia, PA 19106

J. Stewart White  
White, Meany & Wetherall, LLP  
3185 Lakeside Drive  
Reno, NV 89509-4503

Matthew R. Willis  
Provost & Umphrey Law Firm, LLP  
490 Park Street  
P.O. Box 4905  
Beaumont, TX 77704

Benjamin C. Wilson  
Rushton, Stakely, Johnston & Garrett, PA  
P.O. Box 270  
Montgomery, AL 36101-0270

Donald A. Windham, Jr.  
Smith, Reeves & Yarborough, PLLC  
6360 I-55 North, Suite 201  
Jackson, MS 39211

Douglas L. Winston  
Berger & Zavesky  
1425 Rockefeller Building  
614 West Superior Avenue  
Cleveland, OH 44113

Phillip A. Wittmann  
Stone, Pigman, Walther & Wittmann, LLC  
546 Carondelet Street  
New Orleans, LA 70130-3588

Douglas J. Wold  
Wold Law Firm, PC  
218 First Street, E  
P.O. Box 400  
Polson, MT 59860-0400

**INVOLVED JUDGES LIST (CTO-23)**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

Hon. Ann Aldrich  
 Senior U.S. District Judge  
 17B Carl B. Stokes U.S. Courthouse  
 801 W. Superior Avenue  
 Cleveland, OH 44113-1839

Hon. Micaela Alvarez  
 U.S. District Court  
 3245 U.S. Courthouse  
 1300 Victoria Street  
 Laredo, TX 78040

Hon. Henry E. Autrey  
 U.S. District Judge  
 10N Thomas F. Eagleton  
 U.S. Courthouse  
 111 South Tenth Street  
 St. Louis, MO 63102

Hon. Neal B. Biggers, Jr.  
 Senior U.S. District Judge  
 388 Fed. Bldg. & U.S. Courthouse  
 911 Jackson Avenue East  
 Oxford, MS 38655-3622

Hon. Catherine C. Blake  
 U.S. District Judge  
 7310 Edward A. Garmatz Federal Bldg  
 & U.S. Courthouse  
 101 West Lombard Street  
 Baltimore, MD 21201-2600

Hon. Karon O. Bowdre  
 U.S. District Judge  
 140 Hugo L. Black U.S. Courthouse  
 1729 5th Avenue N.  
 Birmingham, AL 35203

Hon. Larry M. Boyle  
 U.S. Magistrate Judge  
 U.S. Courthouse, Room 630  
 550 West Fort Street, MSC 040  
 Boise, ID 83724

Hon. Terrence W. Boyle  
 Chief Judge, U.S. District Court  
 P.O. Box 306  
 Elizabeth City, NC 27907

Hon. Ronald L. Buckwalter  
 Senior U.S. District Judge  
 14614 James A. Byrne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106-1714

Hon. Laurie Smith Camp  
 U.S. District Judge  
 3210 Roman L. Hruska U.S.  
 Courthouse  
 111 South 18th Plaza  
 Omaha, NE 68102

Hon. Paul G. Cassell  
 U.S. District Judge  
 112 Frank E. Moss U.S. Courthouse  
 350 South Main Street  
 Salt Lake City, UT 84101-2180

Hon. David S. Cercone  
 U.S. District Judge  
 1036 U.S. P.O. & Courthouse  
 700 Grant Street  
 Pittsburgh, PA 15219

Hon. Stanley R. Chesler  
 U.S. District Judge  
 5050 Clarkson S. Fisher Federal Bldg  
 & U.S. Courthouse  
 402 East State Street  
 Trenton, NJ 08608

Hon. George B. Daniels  
 U.S. District Judge  
 410 Thurgood Marshall U.S.  
 Courthouse  
 40 Centre Street  
 New York, NY 10007

Hon. Glen H. Davidson  
 Chief Judge, U.S. District Court  
 P.O. Box 767  
 Aberdeen, MS 39730-0767

Hon. Legrome D. Davis  
 U.S. District Judge  
 2609 James A. Bryne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106

Hon. Michael J. Davis  
 U.S. District Judge  
 14E U.S. Courthouse  
 300 South Fourth Street  
 Minneapolis, MN 55415

~~Hon. Kent J. Dawson~~  
~~U.S. District Judge~~  
~~6006 Lloyd D. George U.S. Courthouse~~  
~~333 Las Vegas Blvd., South~~  
~~Las Vegas, NV 89101~~

Hon. David S. Doty  
 Senior U.S. District Judge  
 14W U.S. Courthouse  
 300 South Fourth Street  
 Minneapolis, MN 55415

Hon. William F. Downes  
 Chief Judge, U.S. District Court  
 210 Ewing T. Kerr Federal Building  
 & U.S. Courthouse  
 111 South Wolcott Street  
 Casper, WY 82601

Hon. Christopher F. Droney  
 U.S. District Judge  
 Abraham Ribicoff Federal Building  
 & U.S. Courthouse  
 450 Main Street  
 Hartford, CT 06103

Hon. Joan N. Ericksen  
 U.S. District Judge  
 Warren E. Burger Federal Building  
 316 North Robert Street  
 St. Paul, MN 55101

Hon. Ralph R. Erickson  
 U.S. District Judge  
 410 Quentin N. Burdick U.S. Courthouse  
 655 First Avenue North  
 Fargo, ND 58102

Hon. Gary A. Fenner  
 U.S. District Judge  
 8452 Charles E. Whittaker  
 U.S. Courthouse  
 400 East 9th Street  
 Kansas City, MO 64106

Hon. Audrey G. Fleissig  
 U.S. Magistrate Judge  
 Thomas F. Eagleton U.S. Courthouse  
 111 South 10th Street, Suite 3300  
 St. Louis, MO 63102-9958

Hon. David Folsom  
 U.S. District Judge  
 309 U.S. Courthouse & P.O. Bldg.  
 500 N. State Line Avenue  
 Texarkana, TX 75501

Hon. Donovan W. Frank  
U.S. District Judge  
738 Warren E. Burger Federal Bldg.  
316 North Robert Street  
St. Paul, MN 55101

Hon. Stephen P. Friot  
U.S. District Judge  
3102 U.S. Courthouse  
200 Northwest Fourth Street  
Oklahoma City, OK 73102-3092

Hon. James Knoll Gardner  
U.S. District Judge  
U.S. District Court & Fed. Bldg.  
504 W. Hamilton Street, Suite 4701  
Allentown, PA 18101

Hon. James T. Giles  
Chief Judge, U.S. District Court  
17614 James A. Byrne  
U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1771

Hon. Joseph R. Goodwin  
U.S. District Judge  
U.S. District Court  
P.O. Box 2546  
Charleston, WV 25329-2546

Hon. Ancer L. Haggerty  
Chief Judge, U.S. District Court  
1307 Mark O. Hatfield  
U.S. Courthouse  
1000 SW Third Avenue  
Portland, OR 97204-2902

Hon. James H. Hancock  
Senior U.S. District Judge  
681 Hugo L. Black U.S. Courthouse  
1729 5th Avenue North  
Birmingham, AL 35203

Hon. William Brevard Hand  
Senior U.S. District Judge  
John A. Campbell U.S. Courthouse  
113 St. Joseph Street  
Mobile, AL 36602-3606

Hon. William J. Haynes, Jr.  
U.S. District Judge  
A845 Estes Kefauver Federal  
Bldg. & U.S. Courthouse  
801 Broadway  
Nashville, TN 37203-3816

Hon. David R. Herndon  
U.S. District Judge  
P.O. Box 259  
E. St. Louis, IL 62202-0259

Hon. S. Maurice Hicks, Jr.  
U.S. District Judge  
5226 United States Courthouse  
300 Fannin Street, Suite 5226  
Shreveport, LA 71101

Hon. Janis Graham Jack  
U.S. District Judge  
320 U.S. Courthouse  
1133 North Shoreline Blvd.  
Corpus Christi, TX 78401

Hon. Carol E. Jackson  
Chief Judge, U.S. District Court  
14N Thomas F. Eagleton U.S.  
Courthouse  
111 South Tenth St., 14th Floor  
St. Louis, MO 63102-1116

Hon. Robert G. James  
U.S. District Judge  
U.S. District Court  
P.O. Drawer 3107  
Monroe, LA 71201-3107

Hon. James H. Jarvis  
Senior U.S. District Judge  
140 Howard H. Baker Jr. U.S.  
Courthouse  
800 Market Street  
Knoxville, TN 37902

Hon. Dale A. Kimball  
U.S. District Judge  
220 Frank E. Moss U.S. Courthouse  
350 South Main Street  
Salt Lake City, UT 84101

Hon. James Lawrence King  
Senior U.S. District Judge  
1127 James Lawrence King Federal  
Justice Bldg.  
99 N.E. Fourth Street  
Miami, FL 33132

Hon. Robert G. Klausner  
U.S. District Judge  
860 Edward R. Roybal Federal  
Building & Courthouse  
255 East Temple Street  
Los Angeles, CA 90012

Hon. Charles B. Kornmann  
U.S. District Judge  
408 U.S. Post Office & Courthouse  
102 Fourth Avenue, S.E.  
Aberdeen, SD 57401

Hon. Richard H. Kyle  
Senior U.S. District Judge  
760 Warren E. Burger Federal Bldg.  
316 N. Robert Street  
St. Paul, MN 55101

Hon. James L. Larson  
U.S. Magistrate Judge  
Phillip Burton U.S. Courthouse  
450 Golden Gate Avenue  
P.O. Box 36060  
San Francisco, CA 94102-3489

Hon. Stephen N. Limbaugh  
Senior U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth St., 3rd Floor  
St. Louis, MO 63102-9958

Hon. Barbara M.G. Lynn  
U.S. District Judge  
15E26 Earle Cabell Federal Building  
& U. S. Courthouse  
1100 Commerce Street  
Dallas, TX 75242-1003

Hon. Paul A. Magnuson  
Senior U.S. District Judge  
730 Warren E. Burger Federal Building  
316 North Robert Street  
St. Paul, MN 55101

Hon. John M. Manos  
Senior U.S. District Judge  
16B Carl B. Stokes U.S. Courthouse  
801 W. Superior Avenue  
Cleveland, OH 44113-1841

Hon. A. Howard Matz  
U.S. District Judge  
170 U.S. Courthouse  
312 North Spring Street  
Los Angeles, CA 90012

Hon. Joseph H. McKinley, Jr.  
U.S. District Judge  
206 Federal Building  
423 Frederica Street  
Owensboro, KY 42301

Hon. Edward J. McManus  
Senior U.S. District Judge  
Federal Building & U.S. Courthouse  
101 First Street, S.E.  
Room 329  
Cedar Rapids, IA 52401

Hon. Mary Ann L. Medler  
U.S. Magistrate Judge  
U.S. District Court  
13S Thomas F. Eagleton U.S.  
Courthouse  
St. Louis, MO 63102-1116

Hon. Robert L. Miller, Jr.  
Chief Judge, U.S. District Court  
325 Robert A. Grant Federal Bldg.  
& U.S. Courthouse  
204 South Main Street  
South Bend, IN 46601

Hon. Michael P. Mills  
U.S. District Judge  
335 Federal Bldg. & U.S. Courthouse  
911 Jackson Avenue, West  
Oxford, MS 38655

Hon. Donald W. Molloy  
Chief Judge, U.S. District Court  
P.O. Box 7309  
Missoula, MT 59807-7309

Hon. Ann D. Montgomery  
U.S. District Judge  
13W U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. Carlos Murguia  
U.S. District Judge  
537 Robert J. Dole U.S. Courthouse  
500 State Avenue  
Kansas City, KS 66101

Hon. G. Patrick Murphy  
Chief Judge, U.S. District Court  
Melvin Price Federal Building & U.S.  
Courthouse  
750 Missouri Avenue  
E. St. Louis, IL 62201-2954

Hon. Charles R. Norgle, Sr.  
U.S. District Judge  
2346 Everett McKinley Dirksen  
U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Hon. Edward W. Nottingham  
U.S. District Judge  
Alfred A. Arraj U.S. Courthouse  
901 19th Street  
Denver, CO 80294-3589

Hon. John V. Parker  
Senior U.S. District Judge  
355 Russell B. Long Federal Bldg.  
777 Florida Street  
Baton Rouge, LA 70801-1712

Hon. Catherine D. Perry  
U.S. District Judge  
Thomas F. Eagleton U.S.  
Courthouse  
111 South Tenth Street, 14th Floor  
St. Louis, MO 63102-9958

Hon. William D. Quarles, Jr.  
United States District Court  
Edward A. Garmatz Fed. Bldg. &  
U.S. Courthouse  
101 West Lombard Street  
Baltimore, MD 21201

Hon. Michael J. Reagan  
U.S. District Judge  
200 Melvin Price Fed. Bldg.  
& U.S. Courthouse  
750 Missouri Avenue  
E. St. Louis, IL 62201

Hon. Julie A. Robinson  
U.S. District Judge  
405 United States Courthouse  
444 Southeast Quincy Street  
Topeka, KS 66683

Hon. Mary Lou Robinson  
U.S. District Judge  
226 J. Marvin Jones Fed Bldg.  
205 East Fifth Avenue  
Amarillo, TX 79101

Hon. James M. Rosenbaum  
Chief Judge, U.S. District Court  
15E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. Gary L. Sharpe  
U.S. District Judge  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, NY 12207

Hon. William D. Stiehl  
Senior U.S. District Judge  
P.O. Box 249  
E. St. Louis, IL 62202

Hon. Lyle E. Strom  
Senior U.S. District Judge  
3190 Roman L. Hruska  
U.S. Courthouse  
111 South 18th Plaza  
Omaha, NE 68102

~~Hon. Myron H. Thompson~~  
~~U.S. District Judge~~  
~~P.O. Box 235~~  
~~Montgomery, AL 36101-0235~~

Hon. James D. Todd  
Chief Judge, U.S. District Court  
444 U.S. Courthouse  
111 South Highland Ave.  
Jackson, TN 38301

Hon. Ernest C. Torres  
Chief Judge, U.S. District Court  
363 John O. Pastore Federal Bldg.  
Two Exchange Terrace  
Providence, RI 02903-1779

Hon. John R. Tunheim  
U.S. District Judge  
13E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. Ralph E. Tyson  
U.S. District Judge  
301 Russell B. Long Fed. Bldg.  
777 Florida Street  
Baton Rouge, LA 70801-1712

Hon. Kathryn H. Vratil  
U.S. District Judge  
511 Robert J. Dole U.S. Courthouse  
500 State Avenue  
Kansas City, KS 66101

Hon. T. John Ward  
U.S. District Judge  
United States District Court  
100 E. Houston Street  
Marshall, TX 75670

Hon. E. Richard Webber  
U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth St., 12th Floor  
St. Louis, MO 63102-1116

Hon. Jeffrey S. White  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
450 Golden Gate Avenue  
Box 36060  
San Francisco, CA 94102-3489

Hon. William R. Wilson, Jr.  
U.S. District Judge  
423 Richard Sheppard Arnold  
U.S. Courthouse  
600 West Capitol Avenue  
Little Rock, AR 72201-3325

Hon. Thomas S. Zilly  
Senior U.S. District Judge  
15229 U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101-1290

**INVOLVED CLERKS LIST (CTO-23)**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

Arlen B. Coyle, Clerk  
 U.S. District Court  
 P.O. Box 704  
 Aberdeen, MS 39730-0704

Arlen B. Coyle, Clerk  
 369 Fed & Bldg. U.S. Courthouse  
 911 Jackson Avenue East  
 Oxford, MS 38655-3622

Betty A. Griess, Clerk  
 2141 Joseph C. O'Mahoney Fed. Bldg.  
 2120 Capitol Avenue  
 Cheyenne, WY 82001-3658

Bruce Rifkin, Clerk  
 U.S. Courthouse  
 700 Stewart Street  
 Seattle, WA 98101

Cameron S. Burke, Clerk  
 Fed. Bldg. & U.S. Courthouse,  
 MSC 039  
 550 West Fort Street  
 Boise, ID 83724

Charles R. Diard, Jr., Clerk  
 123 John A. Campbell U.S. Courthouse  
 113 St. Joseph Street  
 Mobile, AL 36602-3621

Clarence Maddox, Clerk  
 Federal Courthouse Square  
 301 North Miami Avenue  
 Miami, FL 33128-7788

David A. DiMarzio, Clerk  
 356 John O. Pastore Federal Building  
 Two Exchange Terrace  
 Providence, RI 02903

David J. Maland, Clerk  
 100 East Houston Street  
 #125  
 Marshall, TX 75670-4144

~~Debra P. Hackett, Clerk~~  
~~U.S. District Court~~  
~~P.O. Box 711~~  
~~Montgomery, AL 36101-0711~~

Denise Lucks, Clerk  
 U.S. District Court  
 P.O. Box 83468  
 Lincoln, NE 68508-3468

Denise Lucks, Clerk  
 1152 Roman L. Hruska  
 U.S. Courthouse  
 111 South 18th Plaza  
 Omaha, NE 68102-1322

Donald M. Cinnamond, Clerk  
 740 Mark O. Hatfield U.S. Courthouse  
 1000 Southwest Third Avenue  
 Portland, OR 97204-2902

Edward J. Klecker, Clerk  
 130 Quentin N. Burdick U.S. Courthouse  
 655 First Avenue North  
 Fargo, ND 58107

Felicia C. Cannon, Clerk  
 Edward A. Garmatz Federal  
 Building & U.S. Courthouse  
 101 W. Lombard Street  
 Baltimore, MD 21201-2690

Fred Borch, Clerk  
 U.S. District Court  
 P.O. Box 25670  
 Raleigh, NC 27611-5670

Geri M. Smith, Clerk  
 United States District Court  
 2-161 Carl B. Stokes U.S. Courthouse  
 801 West Superior Avenue  
 Cleveland, OH 44113

Gregory C. Langham, Clerk  
 A105 Alfred A. Arraj U.S. Courthouse  
 901 19th St.  
 Denver, CO 80294-3589

J. Michael McMahon, Clerk  
 Daniel Patrick Moynihan  
 U.S. Courthouse  
 500 Pearl Street  
 New York, NY 10007-1312

James D. Hodges, Jr., Clerk  
 P.O. Box 74710  
 Cedar Rapids, IA 52407-4710

James W. McCormack, Clerk  
 402 U.S. Post Office & Courthouse  
 600 West Capitol Avenue  
 Little Rock, AR 72201-3325

James Woodward, Clerk  
 3300 Thomas F. Eagleton U.S.  
 Courthouse  
 111 South Tenth Street  
 St. Louis, MO 63102

Jeffrey A. Apperson, Clerk  
 120 Federal Building  
 241 East Main Street  
 Bowling Green, KY 42101

Joseph A. Haas, Clerk  
 U.S. District Court  
 P.O. Box 6080  
 Rapid City, SD 57701

Karen S. Mitchell, Clerk  
 J. Marvin Jones Federal Bldg.  
 P.O. Box F13240  
 205 East Fifth Avenue  
 Amarillo, TX 79101-1556

Karen S. Mitchell, Clerk  
 14A20 Earle Cabell Federal  
 Bldg. & U.S. Courthouse  
 1100 Commerce Street  
 Dallas, TX 75242-1003

Keith Throckmorton, Clerk  
 228 L. Clure Morton U.S. Post  
 Office & Courthouse  
 9 East Broad Street  
 Cookeville, TN 38501

Kevin F. Rowe, Clerk  
 Richard C. Lee U.S. Courthouse  
 141 Church Street  
 New Haven, CT 06510

~~Lance S. Wilson, Clerk~~  
~~Lloyd D. George U.S. Courthouse~~  
~~333 Las Vegas Boulevard, South~~  
~~Las Vegas, NV 89101~~

Lawrence K. Baerman, Clerk  
 345 James T. Foley U.S. Courthouse  
 445 Broadway  
 Albany, NY 12207

Lawrence Talamo, Clerk  
 U.S. District Court  
 139 Russell B. Long Federal Building  
 777 Florida Street  
 Baton Rouge, LA 70801-1712

Markus B. Zimmer, Clerk  
150 Frank E. Moss U.S. Courthouse  
350 South Main Street  
Salt Lake City, UT 84101-2180

Michael E. Kunz, Clerk  
2609 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1796

Michael N. Milby, Clerk  
U.S. Courthouse  
1133 North Shoreline Blvd.  
Corpus Christi, TX 78401

Michael N. Milby, Clerk  
P.O. Box 597  
Laredo, TX 78040-0597

Michael W. Dobbins, Clerk  
Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Norbert G. Jaworski, Clerk  
U.S. District Court  
P.O. Box 249  
E. St. Louis, IL 62202-0249

Patricia L. Brune, Clerk  
2710 Charles Evans Whittaker U.S. Courthouse  
400 E. Ninth Street  
Kansas City, MO 64106

Patricia L. McNutt, Clerk  
130 Howard H. Baker Jr. U.S. Courthouse  
800 Market Street  
Knoxville, TN 37902

Patrick E. Duffy, Clerk  
P.O. Box 8537  
Missoula, MT 59807-8537

Perry D. Mathis, Clerk  
140 Hugo L. Black U.S. Courthouse  
1729 5th Avenue North  
Birmingham, AL 35203

Ralph L. DeLoach, Clerk  
259 Robert J. Dole U.S. Courthouse  
500 State Avenue  
Kansas City, KS 66101-2430

Ralph L. DeLoach, Clerk  
490 Frank Carlson Federal Building  
& U.S. Courthouse  
444 S.E. Quincy Street  
Topeka, KS 66683

Richard Sletten, Clerk  
202 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Richard W. Wieking, Clerk  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

Robert D. Dennis, Clerk  
1210 U.S. Courthouse  
200 N.W. 4th Street  
Oklahoma City, OK 73102-3092

Robert H. Shemwell, Clerk  
Post Office Drawer 3087  
Monroe, LA 71201-3087

Robert H. Shemwell, Clerk  
1167 U.S. Courthouse  
300 Fannin Street  
Shreveport, LA 71101-3083

Robert V. Barth, Jr., Clerk  
U.S. District Court  
P.O. Box 1805  
Pittsburgh, PA 15230-1805

Sherri R. Carter, Clerk  
G-8 U.S. Courthouse  
312 North Spring Street  
Los Angeles, CA 90012

Stephen R. Ludwig, Clerk  
315 Robert A. Grant Federal  
Bldg. & U.S. Courthouse  
204 South Main Street  
South Bend, IN 46601

Teresa Deppner, Clerk  
Post Office Box 2546  
Charleston, WV 25329-2546

Thomas M. Gould, Clerk  
262 U.S. Courthouse  
111 South Highland Avenue  
Jackson, TN 38301

William T. Walsh, Clerk  
2020 Clarkson S. Fisher Fed.  
Bldg. & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608